

1 *[Parties and Counsel Listed on Signature Pages]*

2  
3  
4  
5  
6  
7 **UNITED STATES DISTRICT COURT**  
8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
9 **SAN FRANCISCO DIVISION**

10 IN RE: SOCIAL MEDIA ADOLESCENT  
11 ADDICTION/PERSONAL INJURY  
12 PRODUCTS LIABILITY LITIGATION

13 THIS FILING RELATES TO:

14 ALL ACTIONS

MDL No. 3047

Civil Case No. 4:22-md-03047-YGR (PHK)

Honorable Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Peter H. Kang

15 **STIPULATION AND [PROPOSED]**  
16 **ORDER REGARDING DEPOSITION OF**  
17 **DR. JAMES MCGOUGH AND**  
18 **REBUTTAL REPORT OF DR. KARA**  
19 **BAGOT**

1 This stipulation relates to the case of David Melton (“Melton Matter”) (*Hicks, et al. v. Meta*  
 2 *Platforms, Inc. et al.*, 4:22-cv-06627). To establish a mutually agreeable deadline for Dr. James  
 3 McGough’s sur-reply report to the “Rebuttal Expert Report of Dr. Kara Bagot, M.D., Report Re:  
 4 David Melton,” and accompanying depositions and briefing deadlines for these expert reports, the  
 5 MDL Plaintiffs and Defendants (collectively, the “Parties”) enter into the below stipulation and agree  
 6 to continue to meet and confer on this schedule.

7 WHEREAS on October 29, 2024, the Court entered Court Management Order (“CMO”) No.  
 8 18 (ECF Dkt. No. 1290), which set forth the case management schedule;

9 WHEREAS pursuant to CMO No. 18, expert discovery in this matter commenced on May 16,  
 10 2025;

11 WHEREAS pursuant to CMO No. 18, Plaintiffs’ case-specific opening expert reports were  
 12 due on May 19, 2025; Defendants’ case-specific experts responsive reports were due on July 11, 2025;  
 13 and Plaintiffs’ case-specific experts rebuttal reports were due on August 1, 2025 (“Rebuttal Report  
 14 Deadline”);

15 WHEREAS Plaintiff served the “Expert Report of Dr. Sarah Lowenthal, MD, Report for:  
 16 David Melton” (“Lowenthal Opening Report”) on May 19, 2025, and a supplemental expert report,  
 17 “Supplemental Expert Report of Dr. Sarah Lowenthal, MD, Report for: David Melton” (“Lowenthal  
 18 Supplemental Opening Report”) on June 25, 2025;

19 WHEREAS Defendants served the “Expert Report of James McGough, M.D., M.S.”  
 20 (“McGough Responsive Report”) on July 11, 2025;

21 WHEREAS Plaintiff subsequently served the “Rebuttal Report of Dr. Sarah Lowenthal, MD,  
 22 Report for: David Melton” (“Lowenthal Rebuttal Report”) on the Rebuttal Report Deadline;

23 WHEREAS Plaintiff also served the “Rebuttal Expert Report of Dr. Kara Bagot, M.D., Report  
 24 Re: David Melton” (“Dr. Bagot Rebuttal Report”) on the Rebuttal Report Deadline;

25 WHEREAS Defendants will serve a case-specific expert responsive report authored by Dr.  
 26 McGough (“McGough Sur-Reply Report”) responding to the Dr. Bagot Rebuttal Report;

27 WHEREAS the Parties have conferred and agreed to reschedule Dr. McGough’s September  
 28 8, 2025, deposition until after Dr. McGough’s Sur-Reply Report has been served;

1 WHEREAS pursuant to the court management conference (“CMC”) on August 22, 2025,  
2 Judge Gonzalez Rogers took the specific Personal Injury Bellwethers motions for summary judgement  
3 off the calendar to be rescheduled during a later phase (8/22/2025 Hearing Tr. 42:18-21);

4 WHEREAS pursuant to CMO No. 27 (ECF Dkt. No. 2274), Judge Gonzalez Rogers granted  
5 the Parties’ Joint Stipulation and [Proposed] Order to Modify Pretrial Schedule (ECF Dkt. No. 2256)  
6 on September 23, 2025, and ordered that any remaining motions, including motions specific to the  
7 personal injury plaintiffs, shall be decided in the next phase of this litigation;

8 WHEREAS on October 31, 2025, Judge Gonzalez Rogers granted the Parties’ Joint  
9 Stipulation Regarding Deposition of Dr. James McGough and Rebuttal Report of Dr. Kara Bagot  
10 (ECF Dkt. 2349), and ordered the Parties to meet and confer to identify a mutually agreeable time in  
11 November 2025 for Drs. Bagot and McGough’s depositions;

12 **NOW, THEREFORE,** the Parties stipulate and agree as follows:

- 13 1. Defendants preserve and do not waive their right to limit Dr. Bagot to a rebuttal opinion  
14 and/or oppose Plaintiff calling Dr. Bagot in their case-in-chief.
- 15 2. The Parties will meet and confer to identify a mutually agreeable time prior to March 15,  
16 2026, for Dr. McGough’s deposition in the Melton Matter.
- 17 3. The Parties will meet and confer to identify a mutually agreeable time prior to March 15,  
18 2026, for Dr. Bagot’s deposition in the Melton Matter.
- 19 4. Any Rule 702 motions filed in the Melton Matter relating to Dr. Bagot shall be filed within  
20 forty-five days of the completion of Dr. Bagot’s deposition, or when the motions are due  
21 according to the calendar set by Judge Gonzalez Rogers, whichever is later in time.
- 22 5. Any Rule 702 motions filed in the Melton Matter relating to Dr. McGough shall be filed  
23 within forty-five days of the completion of Dr. McGough’s deposition, or when the  
24 motions are due according to the calendar set by Judge Gonzalez Rogers, whichever is  
25 later in time.

26 Dated: November 7, 2025

**COUNSEL FOR SNAP INC.**

27 By: /s/ Jessica Davidson  
28

**KIRKLAND AND ELLIS LLP**

Jessica Davidson, P.C.  
KIRKLAND AND ELLIS LLP  
601 Lexington Ave,  
New York, NY 10022  
Telephone: (212) 446-4723

*Attorneys for Defendant Snap Inc.*

By: /s/ Clinton Richardson

**BEASLEY ALLEN CROW METHVIN PORTIS  
& MILES, P.C.**

Clinton Richardson  
BEASLEY ALLEN CROW METHVIN  
PORTIS & MILES, P.C.  
234 COMMERCE STREET  
MONTGOMERY, AL 36103  
Telephone: + 1 (334) 269-2343  
Email: Clinton.Richardson@BeasleyAllen.com

*Attorneys for Plaintiffs*

**COVINGTON & BURLING LLP**

Ashley M. Simonsen (State Bar No. 275203)  
COVINGTON & BURLING LLP  
1999 Avenue of the Stars  
Los Angeles, CA 90067  
Telephone: + 1 (424) 332-4800  
Facsimile: +1 (650) 632-4800  
Email: asimonsen@cov.com

Phyllis A. Jones, pro hac vice  
Paul W. Schmidt, pro hac vice  
David N. Sneed, pro hac vice  
COVINGTON & BURLING LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956  
Telephone: + 1 (202) 662-6000  
Facsimile: + 1 (202) 662-6291  
Email: pajones@cov.com  
Email: pschmidt@cov.com  
Email: dsneed@cov.com  
Emily Johnson Henn (State Bar. No. 269482)

COVINGTON & BURLING LLP

3000 El Camino Real  
5 Palo Alto Square, 10th Floor  
Palo Alto, CA 94306

Telephone: + 1 (650) 632-4700

Facsimile: +1 (650) 632-4800

Email: ehenn@cov.com

*Attorney for Defendants Meta Platforms, Inc. f/k/a  
Facebook, Inc.; Facebook Holdings, LLC; Facebook  
Operations, LLC; Facebook Payments, Inc.;  
Facebook Technologies, LLC; Instagram, LLC;  
Siculus, Inc.; and Mark Elliot Zuckerberg*

**MUNGER, TOLLES & OLSEN LLP**

Jonathan H. Blavin, SBN 230269

MUNGER, TOLLES & OLSON LLP

560 Mission Street, 27th Floor

San Francisco, CA 94105-3089

Telephone: (415) 512-4000

Facsimile: (415) 512-4077

Rose L. Ehler (SBN 29652)

Victoria A. Degtyareva (SBN 284199)

Ariel T. Teshuva (SBN 324238)

MUNGER, TOLLES & OLSON LLP

350 South Grand Avenue, 50th Floor

Los Angeles, CA 90071-3426

Telephone: (213) 683-9100

Facsimile: (213) 687-3702

Lauren A. Bell, pro hac vice

MUNGER, TOLLES & OLSON LLP

601 Massachusetts Ave., NW St.,

Suite 500 E

Washington, D.C. 20001-5369

Telephone: (202) 220-1100

Facsimile: (202) 220-2300

*Attorneys for Defendant Snap Inc.*

**KING & SPALDING LLP**

Gregory Chernack

KING & SPALDING LLP

1 1700 Pennsylvania Avenue, NW Suite 900  
2 Washington, D.C. 20006  
3 Telephone: (202) 626-9227

4 *Attorneys for Defendant TikTok Inc.*

5  
6  
7  
8 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

9 DATED:

10 YVONNE GONZALEZ ROGERS  
11 UNITED STATES DISTRICT JUDGE  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ATTESTATION**

I, Jessica Davidson, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to the filing of this document has been obtained from each signatory hereto.

Dated: November 7, 2025

By: /s/ Jessica Davidson  
Jessica Davidson